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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/549,407	09/14/2005	Junbiao Zhang	PU030084	1695
Joseph S Tripoli Thomson Licensing Inc Patent Operations P O Box 5312 Princeton, NJ 08543-5312				
7590 08/04/2008			EXAMINER CHEN, SHIN HON	
			ART UNIT 2131	PAPER NUMBER
			MAIL DATE 08/04/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/549,407

**Applicant(s)**

ZHANG ET AL.

**Examiner**

SHIN-HON CHEN

**Art Unit**

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 July 2008.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-27 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 14 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/5508)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-21 have been examined.

***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/14/08 has been entered.

***Claim Objections***

3. Claim 11 is objected to because of the following informalities: Claim 11 does not refer to an independent claim it depends on following claim amendment and it appears that claim 11 depends on claim 7 as suggested by amendment to other dependent claims. Appropriate correction is required.
4. Claim 24 is objected to because of the following informalities: claim 24 depends on claim "five", numerical representation of the claim is required. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Luo U.S. Pub. No. 20030169713 (hereinafter Luo).

7. As per claim 1 and 5, Luo discloses a method for enabling a client terminal to access a wireless network, comprising the steps of: receiving an access request from the client terminal (Luo: [0037]: access request); redirecting the access request to a local web server via a packet filter for filtering packet traffic (Luo: [0018]: the web-based authentication server; [0037]-[0038]: if the client is in limited state, the client is redirected to the authentication server by the packet traffic filter); requesting from the client terminal, information required to establish client terminal access to the wireless network (Luo: [0043]: submitting credential to establish connection to network); activating, in response to the information received from the client terminal, a module that reconfigures the client terminal for authentication using appropriate parameters associated with a configuration arrangement selected by a user (Luo: [0018]: refer to other accounts that the user has; [0045]: java applet/appropriate parameters used to connect to wireless network); and authenticating the reconfigured client terminal and allowing access to the

wireless network in response to the authentication (Luo: [0045]: grant access after applet is activated).

8. As per claim 2 and 6, Luo discloses the method of claims 1 and 5 respectively. Luo further discloses wherein the wireless network is an IEEE 802.11 compliant wireless local area network (WLAN), and the client terminal is an IEEE 802.1x compliant client terminal (Luo: [0035]: 802.11x).

9. As per claim 3, Luo discloses the method of claim 2. Luo further discloses wherein the activating step comprises activating an Active X control/plugin installed on the client terminal (Luo: [0018] and [0045]).

10. As per claim 4, Luo discloses the method of claim 2. Luo further discloses wherein the activating step comprises downloading to, and activating in, the client terminal an Active X control/plugin (Luo: [0045]: java applet).

11. As per claim 7, Luo discloses a method for configuring a client terminal to provide secure access in a wireless network, comprising the steps of: filtering traffic associated with an HTTP request from the client terminal for access to the wireless network, redirecting the request to a designated web server, and issuing a request from the designated web server to the client terminal for information required to establish an authorized communication (Luo: [0018] and [0037]-[0038]: redirected to the web authentication server if connection is not established).

12. As per claim 8, Luo discloses the method of claim 7. Luo further discloses wherein the wireless network is an IEEE 802.11 compliant wireless local area network and the client terminal is an IEEE 802.1x compliant client terminal (Luo: [0018]: 802.11x).

13. As per claim 9, Luo discloses the method of claim 7. Luo further discloses the step of the receiving from the client terminal and communicating to the designated web server information required to establish an authorized connection (Luo: [0043]: credential).

14. As per claim 10, Luo discloses the method of claim 7. Luo further discloses the step of receiving from the designated web server and communicating to the client terminal access rate information required to establish an authorized communication (Luo: [0018]: create new account; [0043]: provide information to server).

15. As per claim 11, Luo discloses the method of claim 7. Luo further discloses receiving from the designated web server and communicating to the client terminal access user account creation information required to establish an authorized communication (Luo: [0018]: open new account).

16. As per claim 12, Luo discloses the method of claim 7. Luo further discloses the step of receiving from the designated web server and communicating to the client terminal access

authentication method selection information required to establish an authorized communication (Luo: [0044]: positive acknowledgement page).

17. As per claim 13, Luo discloses the method of claim 7. Luo further discloses the step of receiving from the designated web server and communicating to the client terminal new account creation information required to establish an authorized communication (Luo: [0018]: create new account).

18. As per claim 14, Luo discloses the method of claim 7. Luo further discloses the step of receiving from the designated web server and communicating to the client terminal access user terms and conditions of acceptance information required to establish an authorized communication (Luo: [0018]; [0043]: authentication page).

19. As per claim 15, Luo discloses the method of claim 7. Luo further discloses the step of receiving from the client terminal and communicating to the designated web server access rate information required to establish an authorized communication (Luo: [0018]).

20. As per claim 16, Luo discloses the method of claim 7. Luo further discloses the step of receiving from the client terminal and communicating to the designated web server user account creation data required to establish an authorized communication (Luo: [0018]: create new account).

21. As per claim 17, Luo discloses the method of claim 7. Luo further discloses the step of receiving from the client terminal and communicating to the designated web server user access authentication method selection information required to establish an authorized communication (Luo: [0042]: the authentication page support various user authentication methods).

22. As per claim 18, Luo discloses the method of claim 7. Luo further discloses the step of receiving from the client terminal and communicating to the designated web server acceptance of the user access terms and conditions required to establish an authorized communication (Luo: [0043]-[0044]).

23. As per claim 19, Luo discloses the method of claim 8. Luo further discloses whereby the browser program is an ActiveX control (Luo: [0045]: Java applet).

24. As per claim 20, Luo discloses the method of claim 8. Luo further discloses whereby the browser program is a plug-in (Luo: [0045]: Java applet).

25. As per claim 21, Luo discloses a mobile terminal, comprising: means for receiving an extended authentication protocol request identification message packet (Luo: [0018]: EAP protocols); means for forwarding an extended authentication protocol response identity message packet (Luo: [0018]: local EAP authentication); means for receiving an extended authentication protocol failure message packet (Luo: [0023]: the connection is limited or blocked due to repeated authentication failure); means for forwarding a web re-direct request (Luo: [0018]: web



server initiate user-to-network authentication; [0037]-[0038]: redirecting the user to web-based authentication server is the state is limited); means for receiving a provider list web page; means for selecting a provider and forwarding said selected provider information (Luo: [0018]: user can refer to authentication server for which the user has account); means for receiving an ActiveX control message to re-configure said mobile terminal (Luo: [0018]: receiving applet); and means for reconfiguring said mobile terminal and establishing authorized communications (Luo: [0018]: applet will be used to provide authentication for consequent communication).

26. As per claim 22, Luo discloses the method as recited in claim 1. Luo further discloses creating a plurality of operating states, said packet traffic filter receiving wireless local area network state information from said access point (Luo: [0022]-[0023]: every access point maintains a routing state table to indicate whether packet will be forwarded for respective wireless terminal).

27. As per claim 23, Luo discloses the method as recited in claim 5. Luo further discloses creating a plurality of operating states, said packet traffic filter receiving wireless local area network state information from said access point (Luo: [0022]-[0023]: every access point maintains a routing state table to indicate whether packet will be forwarded for respective wireless terminal).

28. As per claim 24, Luo discloses an access point associated with a communications network, comprising: means for forwarding an extended authentication protocol request

identification message packet (Luo: [0018]: EAP protocol is used for link layer authentication; [0042]: the authentication server sends the EAP identification message/HTTP response message to prompt user to enter identification information through the access point); means for receiving an extended authentication protocol response identity message packet (Luo: [0043]: sends back the response message/HTTP response containing the credential); means for forwarding an extended authentication protocol failure message packet to a client terminal responsive to a state failure (Luo: [0023]: the state is set to limited if the authentication is failed); means for receiving a re-direct client request from said forwarding means at a packet filter module responsive to said state failure (Luo: [0037]-[0038]: redirect to authentication server if the state is limited); alternative means for receiving a request for access to a communications network at said packet filter module responsive to said state failure (Luo: [0023] routing state table); and means for forwarding a web re-direct request via said packet filter module and for establishing authorized communications following successful reconfiguration responsive to authentication (Luo: [0023]: the state is normal, access is granted).

29. As per claim 25, Luo discloses the method of claim 1. Luo further discloses detecting a state failure (Luo: [0023]: detecting whether the state is blocked or limited); and redirecting the access request to a local web server via said packet traffic filter responsive to one of the packet traffic filter receiving a redirect client request and of receiving a web access request from said client terminal after detection of said state failure (Luo: [0037]-[0038]: redirect the request for authentication to authentication server if state is not normal).

30. As per claim 26, Luo discloses the method of claim 5. Luo further discloses detecting a state failure (Luo: [0023]: detecting whether the state is blocked or limited); and redirecting the access request to a local web server via said packet traffic filter responsive to one of the packet traffic filter receiving a redirect client request and of receiving a web access request from said client terminal after detection of said state failure (Luo: [0037]-[0038]: redirect the request for authentication to authentication server if state is not normal).

31. As per claim 27, Luo discloses the method of claim 7. Luo further discloses detecting a state failure (Luo: [0023]: detecting whether the state is blocked or limited); and redirecting the access request to a local web server via said packet traffic filter responsive to one of the packet traffic filter receiving a redirect client request and of receiving a web access request from said client terminal after detection of said state failure (Luo: [0037]-[0038]: redirect the request for authentication to authentication server if state is not normal).

### ***Response to Arguments***

32. Applicant's arguments filed on 7/14/08 have been fully considered but they are not persuasive.

Regarding applicant's remarks, applicant argues that the prior art of record does not explicitly disclose packet filter for filtering packet traffic. However, the examiner disagrees. The examiner tried to explain the inherent features of the packet filtering function taught by Luo that may not become apparent to the applicant in previous office action by directing to section [0023] of Luo. In section [0023], Luo discloses that certain packets are allowed to pass through while

others are filtered based on state information. Therefore, the examiner has interpreted the limitation in a broadest reasonable manner and the prior art appears to disclose “filtering packet traffic” by providing filtering functionality at the access point to filter certain frames and packets.

On the other hand, applicant appears to argue on limitations that are not deemed to disclose inventive concept. Although Luo does not provide word-for-word disclosure of certain claimed limitation, Luo discloses certain inherent and underlying functionality as claimed by applicant. Therefore, applicant is advised to claim inventive features that are explicitly distinct from prior art to expedite prosecution.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shin-Hon Chen whose telephone number is (571) 272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shin-Hon Chen  
Examiner  
Art Unit 2131

/Shin-Hon Chen/

Primary Examiner, Art Unit 2131